

RE: Westlake Landfill Cheryle Micinski to: Daniel Wall

Dan, When you respond to their technical memo, you need to bold the information you put in the last sentence of this e-mail.

Daniel Wall/SUPR/R7/USEPA/US



Daniel Wall/SUPR/R7/USEPA/US 09/30/2005 03:45 PM

To "Hockley, Mike" <mhockley@spencerfane.com>

cc Cheryle Micinski/CNSL/R7/USEPA/US@EPA, darrick.steen@dnr.mo.gov, "CHARLOTTE L. NEITZEL" <NEITZEC@hro.com>, paulrosasco@emsidenver.com, "Bloese, Rod" <rbloese@awin.com>, Rusty.waldrup@awin.com, victoria.warren@awin.com, wherst@herstassociates.com, William.Spurgeon@EM.DOE.GOV, Gene Gunn/SUPR/R7/USEPA/US, Larry Erickson

<larry.erickson@dnr.mo.gov>

Subject RE: Westlake Landfill

All,

This follows up this morning's conference call on fill material. I've had a chance to confer with counsel and my management. We are of the opinion that it is acceptable for Allied to receive concrete fill for use consistent with the proposal during the call. We need you to provide a technical memo describing the approach in sufficient detail to assure that appropriate fill materials are being used and placed in a fashion that is consistent with the capping alternatives considered in the FS. We will also provide written comment explaining that this is acceptable only under the condition that the work would be modified or undone in the event that placement of this material is inconsistent with the selected remedy, e.g., the proposed remedy is changed as a result of public comment.

Thank you,

Dan Wall 913-551-7710